

UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

[illegible]

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-1-68	Complaint, filed. m	
11-1-68	Notice, filed. m (Tracts Nos. 306-1 thru 306-4 and 306E)	
11-1-68	Declaration of taking, filed. m	
11-1-68	Motion for order for delivery of possession, filed. m	
11-7-68	Order For Delivery of Possession, by USA, filed (AEB-J) js	
11-14-68	Return on service of 4 writs filed. Executed by serving Judith Elise Herndon, Patricia Ann Herndon and Mike Connell Herndon (14.00); served Mechmar Development Co. (\$6.00), Served E.R. Albert, Jr., Russell F. Hunt, Harold C. Stuart, Edith May Herndon, Wm. J. Doyle, Jr., Sue Doyle and Seth Herndon, Jr. (\$42.00) Served A.L. Mechling Barge Line, (\$6.00); all by serving Mr. Seth Herndon, Jr. at Tulsa, Okla. on 11-12-68. h	
11-19-68	Entry of Appearance and Demand for Jury Trial, of Seth Herndon, Jr., Edith May Herndon, Edith May Herndon, Judith Elise Herndon, Patricia Ann Herndon, Mike Connell Herndon, E. R. Albert, Jr., Russell F. Hunt, Harold C. Stuart, Mechmar Development Co., A. L. Mechling Barge Line, William J. Doyle, Jr., Sue Doyle, C. L. McMahon, Jr., and William E. Smith, filed. js	
11-20-68	Notice of Appearance filed by Adams Building Corp. h	
11-20-68	Return on service of writs (13) filed. Executed by serving C.L. McMahon, Jr., at Tulsa, Okla.; Tom Elliot at Catoosa, Okla; Bd of Comm, Rogers County, at Claremore, Okla; Steve Mays returned unserved; each on 11-19-68. Served Fourth Natl Bank of Tulsa, Chelsea Land and Cattle Co., Equitable Life Assurance Society of U.S., Adams Bldg. Corp, Joan Skelly Stuart, Sanditen Investments, Letd., The Natl Bank of Tulsa, Tulsa Royalties Co., each at Tulsa, on 11-14-68. h	
11-20-68	Return on service of Writ filed. Executed by serving Dept of Interior % Area Director at Muskogee, Okla. on 11-13-68; Service Not completed as to Robert DeBoer on 11-13-68; Served Wm. E. Smith by wife at Memphis, Tenn on 11-18-68. h	
11-21-68	Motion of plaintiff to add parties defendant, filed. ds	
11-25-68	Order to add Stanley T. Synar, Ainslie Perrault and L. E. Riffe, parties defendant, filed. (Allen E. Barrow - Judge) b	
11-29-68	Return on 5 notices and orders for delivery notices and orders for delivery, filed. Served State of Okla. by serving Clarence L. DeWees, Okla. Tax Commissioner, in Okla. City, on 11-21-68; served Stanley Synar by serving Steve Synar in Muskogee, Okla. on 11-26-68; served Carolyn Skelly Burford in St. Louis, Mo., on 11-20-68; & served Ainslie Perrault & L. E. Rife in Tulsa, Okla. on 11-26-68. (Fees: \$39.72) m	
12-6-68	Return on service of writ, filed: served Prudential Insurance Co. Newark, N. J., on 11-25-68. g	
12-13-68	Application For Order Apportioning Estimated Compensation, by Deft. Herndon, et al, filed. js	
12-13-68	Memorandum in Support of Application for Order Apportioning estimated compensation, filed. js	
12-31-68	Return on service filed. Unserved as to Dorothy Janeway, who has moved to Phoenix, Arizona. .96¢. ds	
1-2-69	Disclaimer of State of Oklahoma ex rel., Oklahoma Tax Commission, filed. b	
1-6-69	Return on service of writ of notice, filed. Served Dorothy Janeway personally in Phoenix, Arizona, on 12-24-68. (Fees: \$8.96) m	
2-28-69	Order, filed, for U.S. Atty to file copy of Corps of Engineer's appraisal with Clerk, (AEB-J). js	
3-1-69	Copy of Corps of Engineer's appraisal filed. h	
3-25-69	Stipulation For Distribution of Estimated Compensation, Filed. js	

(Continued on Page No. 3, Sheet No. 2)

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-26-69	Order as to Tracts Nos. 306-1 thru 306-4 and 306E apportioning estimated compensation and order for distribution of estimated compensation, filed. (Allen E. Barrow - Judge) b	
5-27-69	Pretrial hearing held as to Tr. Nos. 306-1,2,3,4 and E. Defendant's make demand for Jury Trial, or hearing to a new commission. (AEB-J)h	
6-3-69	Defendant's interrogatories to plaintiff, filed. ds	
6-12-69	Plaintiff's answers to interrogatories of defendants, filed. g	
9-4-69	Order denying jury trial and appointing commissioners, filed. (AEB-J)m	
9-11-69	Defendants' motion for instructions to commissioners, filed. m	
9-11-69	Brief in support of motion for instructions to commissioners, filed. m	
9-18-69	Plaintiff's objections to defendants' motion for instructions to commissioners, filed. b	
9-18-69	Brief of plaintiff in support of its objections to defendants' motion, filed. b	
9-18-69	Plaintiff's motion for modification of instructions, with brief attached, filed. b	
9-24-69	Landowners' reply brief in support of motion for instructions to commissioners as to Tracts Nos. 306-1 thru 306-4 and 306E, filed. b	
10-3-69	Order, filed, that defts' motion for instructions to Commissioners is sustained in part and overruled in part, and that pltf's motion for modification of instructions is overruled. (AEB-J)m (copies mailed)	
10-22-69	Case set for trial before Commissioners at 10:30 A.M., Nov. 3, 1969. g	
10-24-69	Stipulation as to acreage, filed. ds	
10-28-69	Instructions to commissioners, filed. ds	
10-30-69	Return of Subpoena, served C.R. Colpitt personally at his office, 518 Kennedy Bldg., on Oct. 29, 1969 at 2:15 P.M.. (Fee \$2.00 U.S.M.) filed. js	
10-30-69	Return of Subpoena, served James Colpitt personally at his office, 518 Kennedy Bldg., on Oct 29, 1969 at 2:15 P.M.. (Fee \$2.00 USM) filed. js	
11-3-69	Oath of office of commissioners, filed. ds	
12-19-69	Commissioners Report, filed. m (notices mailed)	
12-19-69	Claim of Commissioners, filed. m	
12-24-69	Motion for enlargement of time to serve objections, with brief attached, filed. m	
12-29-69	Amendment to application for division of compensation and/or objection to Commissioners' report, filed. m	
12-29-69	Application of L. E. Riffe, et al., for division of compensation and/or objection to commissioners' report, with memorandum of	
1-2-70	authorities, filed. b	
1-2-70	Order granting plaintiff until 1-17-70 in which to serve its objections to Report of Commissioners, filed. (AEB-J) e (copies mailed all parties.	
1-6-70	Affidavit of L. E. Riffe. filed. e	
1-8-70	Order for payment to Commissioners, filed. (AEB-J) e	
1-16-70	Objections to Report of Commissioners as to Tr. Nos. 306-1 thru 306-4 and 306E filed. h (by government)	
2-3-70	Testimony of witness James R. Colpitt taken 11-5-69, filed. m	
2-17-70	Order remanding commissioners report for revision and that plaintiff's objections Nos. 2 thru 5 are reserved until after the filing of an amended commissioners report consistent with this order. (Allen E. Barrow - Judge) b copies mailed to commissioners. b	

(Continued on Page No. 4, Sheet No. 2)

Sheet No. 2

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-25-70	Order, filed (AEB-J), commissioners shall not allocate the award of just compensation among the owners of various interests. js	
4-24-70	Amended commissioners report, filed. m (notices mailed)	
4-28-70	Transcript (4 vols. & table of contents) of hearings before Commissioners on Nov. 3, 4, 5, & 6, 1969, filed. (Rita Hunnicutt, CSR)g	
5-1-70	Motion for enlargement of time to serve objections to 5-19-70, with brief attached, filed. ds (Plaintiff's motion)	
5-8-70	Order Enlarging Time, filed until May 19, 1970 (AEB-J). js	
5-19-70	Objections to amended commissioners' report, filed by plaintiff. ds (Tracts 306-1 thr 306-4 and 306E)	
6-11-70	Brief of Defendant in response to plaintiff's objections to report of commissioners. filed. v	
9-9-70	Order sustaining amended commissioners report and overruling the objections filed by the Government. filed. (AEB-J) v <i>Sept 15 1970 in the matter of</i>	
11-20-70	Stipulation for apportionment of award, Motion for Deficiency Judgment and Order of Disbursement, Filed. v (filed by the deft.)	
11-20-70	Affidavit of Seth Herndon, Jr., filed. v	
11-20-70	Disclaimer of Tulsa Royalties Company, filed. v	
11-20-70	Disclaimer of Adams Building Corporation, filed. v	
12-11-70	Judgment as to Tracts Nos. 306-1 thru 306-4 and 306E filed and entered. (AEB-J)h	
1-27-71	Order to Disburse funds filed. (AEB-J)h	
2-8-71	Plaintiff's Notice of Appeal, filed. ds cpy to USCA, counsel of record, and landowners. g	
3-16-71	Motion for order enlarging time in which to transmit record, with attached Brief in support of Motion, filed by the Plaintiff. Filed. r	
3-18-71	Order enlarging time in which to transmit record to May 9, 1971, Filed. (AEB-J)r	
8-26-71	Stipulation for dismissal of appeal, filed. g	
8-30-71	Order dismissing plaintiff's appeal, filed. g cpy to USCA	